



UNITED STATES DEPARTMENT OF COMMERCE

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TELE	EXAMINER
CLIA RT UNIT	PAPER NUMBER
05/27/85	
DATE MAILED:	

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

 THE PERIOD FOR RESPONSE:

- is extended to run _____ from the date of the Final Rejection
 continues to run three (3) from the date of the Final Rejection
 expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for response expire later than six months from the date of the final rejection.
- Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date that the shortened statutory period for response expires as set forth above.

- Appellant's Brief is due in accordance with 37 CFR 1.192(a).
 Applicant's response to the final rejection, filed 5/5/1986, has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:
 - a. There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
 - b. They raise new issues that would require further consideration and/or search. (See Note).
 - c. They raise the issue of new matter. (See Note).
 - d. They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
 - e. They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE:

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2. Newly proposed or amended claims _____ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.
 3. Upon the filing of an appeal, the proposed amendment will be [] will not be, entered and the status of the claims in this application would be as follows:
Allowed claims: 1-7, 11-13, 15, 18-20
Claims objected to: _____
Claims rejected: 8-10, 14, 16, 17
However:
a. The rejection of claims _____ on references is deemed to be overcome by applicant's response.
b. The rejection of claims _____ on non-reference grounds only is deemed to be overcome by applicant's response.
 4. The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection.
 5. The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.
- The proposed drawing correction has has not been approved by the examiner.

other: Applicant's oath filed 5/5/86 DOES NOT SATISFY THE REQUIREMENTS OF 37 CFR 1.63(b). FOR APPLICANT'S INFORMATION, THE FOLLOWING AMENDMENTS ~~plus~~ PLUS A SUITABLE OATH WOULD PLACE THE CASE IN CONDITION FOR ALLOWANCE:
IN CLAIM 16, line 9, change ~~effecting~~ "effecting" to detecting;
CANCEL claims 8-10 and 14.

CREATE A CAN

16. (twice amended) A method [of] for recording indicia on a surface of an object comprising:

predeterminately relatively positioning a radiation beam generating means and an object to be recorded on by means of radiant energy generated by said generating means,

detecting when such predetermined relative positioning is effected between said radiation beam generating means and said object and generating a first recording cycle initiating control signal upon (detecting) effecting said predetermined relative positioning,

applying said control signal to address a memory containing information recorded therein and defining different indicia to be recorded on said object and reproducing [such] select information from said memory as coded electrical control signals,

generating a beam of recording radiation [and directing] said radiation beam generating means ^{by energizing} ~~and controlling same~~ in a manner to cause said beam to intersect a first portion of said object while applying a first group of select electrical control signals derived from said memory to selectively control said radiation beam during the relative scanning movement between said beam and said object in a manner to effect the recording of first indicia on a first select portion of said object,

thereafter generating [respective] further select groups of indicia defining control signals derived from said memory in synchronization with further relative scanning movement between said radiation beam and said object and applying said further select control signals to further control said beam to cause it to effect the recording of respective additional indicia on the surface of said object so as to define at least one line of indicia extending across a band-like area of the surface of said object.

17 (amended) A method in accordance with claim 16 wherein the controlled relative movement between the beam generated by said radiation beam generating means and said object is effected by controllably deflecting said beam and controllably moving said object.

Claim 18

line 2 change "provided" to --provide--.

(A) between said beam and said object